

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

**CONSENT MOTION TO MODIFY THE DATES REFERRING THIS CASE TO
ALTERNATIVE DISPUTE RESOLUTION**

COMES NOW Defendant Daugherty Systems, Inc. (“Defendant”), with consent of Plaintiff Tamara O’Reilly (“Plaintiff”) (collectively referred to as “the Parties”), by and through their respective counsel, and hereby move this Court to modify the deadlines relating to alternative dispute resolution.

In support of their Consent Motion, the Parties state as follows:

1. On April 1, 2020, the Court issued an Order referring the case to alternative dispute resolution (“ADR”) and ordered that ADR be completed by June 15, 2020 (Doc. 50).
2. On May 11, 2020, the Court issued a Second Amended Case Management Order (Doc. 60), which amended the dates of the ADR referral period. (Doc. 60).
3. On May 17, 2020, Plaintiff’s Counsel filed a Designation of Neutral by the Parties, which indicated a tentative mediation date of June 10, 2020. (Doc. 62).
4. Following Plaintiff’s filing of the Designation of Neutral by the Parties, on May 21, 2020, Counsel for Defendant and Counsel for Plaintiff conferred again about mediation and agreed that it would be more prudent to conduct mediation after the deadline to file notices to opt-in has expired on July 20, 2020.

5. The Parties do not believe mediation can be fruitful until the Parties can assess the status of any potential opt-in plaintiffs and believe that the ADR referral window found in the Court's Second Amended Scheduling Order¹ [ECF No. 60, ¶ 4] would allow the Parties to adequately assess the status of any potential opt-in plaintiffs before engaging in mediation.

WHEREFORE, the Parties respectfully request that this Court reinstate the ADR referral period contained in the Court's Second Amended Scheduling Order [ECF No. 60] and permit the Parties to complete the ADR process by August 14, 2020, and for such further relief the Court deems just and proper.

Respectfully Submitted this 22nd day of May, 2020,

HESSE MARTONE, P.C.

By: /s/ Willie T. McGarry
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¹ July 7, 2020 to August 14, 2020.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 22, 2020, a true and correct copy of the foregoing document was filed electronically with the Clerk of Court to be served by operation of the Court's CM/ECF system upon all counsel of record.

By: /s/Willie T. McGarry
Willie T. McGarry